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CITY AND COUNTY OF SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Nora Jean Dunaway, and Coalition on
Homelessness,

Plaintiffs,

vs.

City and County of San Francisco,

Defendants.

Case No. 08-1715

DECLARATION OF JOYCE CRUM

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DECLARATION OF JOYCE CRUM

I, Joyce Crum, declare:

1. I am employed by the San Francisco Human Services Agency and have been for 5 years. I am currently the Director of the Housing and Homeless Division. I have held this title for approximately one year. I have personal knowledge of the facts stated in this declaration except where I have identified the item as being within my information and belief.

2. Buster's Place was a 24-hour drop-in center for homeless adults in San Francisco. Buster's Place was opened March 16, 2007.

3. The City closed Buster's Place yesterday, March 31, 2008. Buster's Place was located at 211 13th Street, San Francisco, California, 94103. The program provided approximately 150 chairs to homeless individuals. In addition, the site provided lockers and showers for the men and women who congregated there. With a capacity to have 150 clients on site at any given time, Buster's Place served an average of 3-5 clients in wheelchairs at a time, and approximately one-third of the clients had some type of mental health disability.

4. Buster's Place was located next door to the Haight Ashbury Free Clinic, which offers case management, mental health services, medical services, among other services to anyone in San Francisco. The Haight Ashbury Free Clinic continues to operate and is not affected by the closure of Buster's Place.

5. In approximately January of this year, the City announced it would close Buster's Place on March 31, 2008. Indeed, Buster's Place provided notice of this change in approximately mid-February of this year by posting a written notice on the door to the facility.

6. Anticipating the closure of Buster's Place, to ensure uninterrupted 24-hour services to the population served at Buster's Place, the City began daily outreach efforts at Buster's Place by the Homeless Outreach Team (HOT Team), a group of mental health professionals and outreach workers. These intensive efforts began on March 17, 2008 and continued until about 10:00 p.m. last night.

1 7. The HOT Team is an outreach team of doctors, social workers, and outreach
2 workers, employed 22 hours per day, for the sole purpose of getting homeless clients off the streets.
3 Many homeless people refuse shelter services. If a client's refusal appears to be related to a mental
4 disability, medical professionals make affirmative efforts to encourage the client to accept a space
5 in a shelter or appropriate services. Without client consent, however, the HOT Team cannot force
6 anyone client against his or her will into a shelter bed or another program offered by the City.

7 8. During this two-week intensive outreach effort at Buster's Place, the HOT Team was
8 able to refer clients of Buster's Place to alternative shelter facilities in the City. Through last night,
9 at least 19 clients of Buster's Place had taken advantage of these alternative shelter services.

10 9. Plaintiff Norma Jean Dunaway did not avail herself of the HOT Team transitional
11 assistance. A woman in a wheelchair who has a male companion to assist her could be
12 accommodated in the co-ed Next Door shelter, at 1001 Polk Street. The woman's companion would
13 be assigned to a separate floor for sleeping, but would be allowed onto the women's floor to assist
14 her. Alternatively, a shelter client who requires assistance will be assigned a IHSS (In Home
15 Supportive Services) worker for assistance.

16 10. A new 24-hour shelter opened at midnight April 1, 2008, at 150 Otis Street,
17 approximately two blocks from Buster's Place. The facility at 150 Otis serves male clients. It
18 includes 32 beds, approximately 30 chairs, case management services, snacks, showers, and locker
19 services. Each bed in this facility is fully accessible to the disabled population, and the building is
20 accessible via an elevator.

21 11. In addition, the City operates a co-ed 24-hour drop-in center at 2111 Jennings Street
22 in the Bayview. The Jennings Street center includes approximately 65 chairs, and has showers,
23 lockers and food.

24 12. In addition, homeless women can access 24-hour drop-in services at Oshum, located
25 at Turk St. and Taylor St. This facility has a capacity for 150 women seeking drop-in services.

26 13. In addition, the City offers 24-hour shelter services for men and women at Next Door
27 Shelter, located at 1001 Polk Street. This facility has approximately 280 beds. Thirty of those beds
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1 are respite beds, for clients discharged from local hospitals. The remaining 250 beds are available
2 to the general population. This facility offers case management services, an on-site mental health
3 professional, two full meals a day, among other services. This facility also has an elevator and is
4 accessible to people with disabilities.

5 14. A client may access the shelter program in a variety of ways at this time. First, if a
6 client receives public assistance under the County Adult Assistance Program (CAAP) and the client
7 is homeless, the client's eligibility worker can assist the client with a shelter bed.

8 15. Second, anyone can obtain a shelter reservation through CHANGES, the City's
9 shelter bed reservation computer program that tracks available beds online. CHANGES is the
10 City's response to HUD requirements that ask local jurisdictions to provide an unduplicated count
11 of homeless clients accessing services as a condition of federal funding. CHANGES terminals are
12 located at 4 different Resource Centers and 3 CHANGES reservation stations located throughout
13 the City.

14 16. In addition, the City offers transportation services to Resource Centers for clients
15 who require extra assistance through either bus tokens or free van service through the Mobile
16 Assistance Program. Further, current City policy allows clients with disabilities to make and extend
17 shelter bed reservations at the shelters where they are currently residing by asking staff to do so by
18 phone.

19 17. Since 2004, the City Attorney's Office and the Mayor's Office on Disability have
20 provided staff trainings to all shelter and Resource Center employees regarding the ADA and how
21 to provide reasonable accommodations in the City's shelter program.

22 18. City policy requires Resource Center staff to allow clients with disabilities to avoid
23 standing in lines if their disability requires this type of accommodation, avoiding a first-come, first
24 served reservations system. Current City policy also requires Resource Centers and all shelters to
25 post in common areas a sign entitled "Notice of Rights for People with Disabilities," a form
26 available in multiple languages that explains to disabled clients their right to seek assistance if, for
27 example, their disability requires an accommodation, so that the disabled population knows who to
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1 contact at a particular facility if they cannot stand in line, need extra help filling out forms, or if the
2 finger-imaging requirements cause them excessive anxiety. A true and correct copy of the Notice is
3 attached hereto as Exhibit A.

4 19. All shelters have a designated "ADA Liaison," a staff member who is designated to
5 handle all ADA-related questions or requests. If requests for accommodation are not handled in a
6 manner that is satisfactory to the client, the Notice (Exhibit A, hereto) explains how the client can
7 seek review of shelter actions: the client may contact the Mayor's Office on Disability, or the Civil
8 Rights Liaison at DHS. The City provides additional training for the ADA Liaisons to ensure that
9 client requests for reasonable accommodations are handled appropriately. The City also provides
10 medical and/or mental health evaluations for clients asking for reasonable accommodations in the
11 shelter system.

12 I declare under penalty of perjury under the laws of the State of California that the foregoing
13 is true and correct except as to those matters for which I have made my declaration on information
14 and belief and as to those matters I believe them to be true. If called I could and would testify to the
15 matters set forth herein. Executed this 1st day of April, 2008, in the City of San Francisco,
16 California.

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19 JOYCE CRUM
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EXHIBIT A

Notice of Rights for People with Disabilities

1. You have the right NOT to be refused service because of your disability.
2. You have the right to ask us to change the way we do things, in order to accommodate your disability.

For example, you could request

- A lower bunk, due to a mobility disability or chronic illness.
 - Table service, if you cannot carry your own food tray.
 - Refrigeration of your medication, if it needs it.
 - To be able to re-charge your electric wheelchair
 - staff to extend your shelter reservation for you if you are unable to return to a Resource Center
3. You have right to ask us for a change in the way we give you information. For example, you could request
 - a sign language interpreter or a captioner if you are deaf
 - to have information read to you or information in large print if you have a vision impairment, or a cognitive disability.

Most of the time, the change or help can be easily and quickly provided. For assistance, ask the front desk to put you in touch with this shelter's ADA Liaison. If your request is denied, please contact the shelter program director or on-site supervisor. If you are still not satisfied with the decision, you may contact the DHS Office of Civil Rights at 557-5950, 558-1214, or TYY 558-2222, or the Mayor's Office on Disability Monday through Friday from 8:00 am. to 4:00 pm, at 554-6789 or TYY 554-6799.

If you need any of these things, please tell shelter staff. You may be asked to fill out a Reasonable Modification Request Form & obtain verification of your need for an accommodation.